

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DENISE HILLS,)
)
Plaintiff) No. 12cv30065-MAP
)
V.)
)
UNITED STATES OF AMERICA,)
)
Defendant.)
)

DEFENDANT'S MOTION TO DISMISS

The United States of America, by its attorney, Carmen M. Ortiz, United States Attorney for the District of Massachusetts, moves to dismiss the complaint for a lack of subject matter jurisdiction due to the plaintiff's failure to file the required administrative tort claim. The defendant has submitted a memorandum of law in support of this motion.

The undersigned certifies that she conferred with the pro se plaintiff this date but was unable to resolve the issues.

WHEREFORE, the defendant respectfully requests that the court dismiss the complaint.

Respectfully submitted,

CARMEN M. ORTIZ
United States Attorney

By: /s/Karen L. Goodwin
Karen L. Goodwin
Assistant U.S. Attorney
1550 Main Street
Springfield, MA 01103
413-785-0235

Dated: May 1, 2012

Allowed, without prejudice to re-filing following action on Plaintiff's claim by the appropriate federal agency. So ordered.
Michael Q. Powers USA 5/16/12